**Section 337.140 Confidentiality During the Service Appeal Process**

a) The Department has an affirmative duty to protect the confidentiality of personal information of clients served by the Department, in accordance with 89 Ill. Adm. Code 431, Confidentiality of Personal Information of Persons Served by the Department, and the Adoption Assistance and Child Welfare Act of 1980 (42 U.S.C. par. 671 (a)(8)). Confidentiality shall be preserved during mediation, emergency review, the fair hearing, the transmittal of the administrative law judge's recommendation to the Director and the release of the final administrative decision.

b) The mediator, reviewer, and the administrative law judge have the right to exclude any individual or agency who does not have the right of access to the information being presented in accordance with the Adoption Assistance and Child Welfare Act of 1980, the Children and Family Services Act, the Abused and Neglected Child Reporting Act, and any other pertinent Act.

c) The mediator, reviewer, and administrative law judge have the authority to divide the proceeding into segments which deal with issues of the parent, child or other parties in order to preserve confidentiality as mandated under applicable statutes and rules and to prohibit discussion or introduction of evidence that is outside of the scope of the issues being presented in that segment.

d) The client and authorized or legal representative have the right to review the case record, as provided by 89 Ill. Adm. Code 431, Confidentiality of Personal Information of Persons Served by the Department, upon request, with the exception of deleted confidential information, and to review any material the Department or agency intends to submit at the hearing. The case record will be made available for viewing by the client and representative in the presence of a Department employee during regular business hours at the office providing or denying services. The client or representative may obtain copies of the case record material in accordance with the Department's rules on confidentiality (89 Ill. Adm. Code 431).